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Prepped by Ollie Stewart

Document Number:

3) F. R. August 1, 1991

Docket Number:

A-91-46

A-91-46

Name	Case No.
Ernie's Texaco.....	RF321-4795
Fletcher's Texaco.....	RF321-227
Fort Thomas Texas Texaco.....	RF321-3716
Garden City Texaco.....	RF321-3931
Grafton Texaco.....	RF321-305
Hemingway Transport Inc.....	RF272-75981
Jim Williams Texaco.....	RF321-4792
Johnson Texaco.....	RF321-1138
Keck's Service Center.....	RF321-3723
Lee Hy Paving Company.....	RF272-64964
Missouri Agricultural Experiment Station.....	RF272-67499
Missouri Agricultural Experiment Station.....	RF272-67498
Missouri Agricultural Experiment Station.....	RF272-67504
Missouri Foundation Seeds.....	RF272-67505
Mitch's Texaco.....	RF321-3727
Park Hill Texaco.....	RF321-14436
Park Square Texaco.....	RF321-3440
Plymouth Oil, Inc.....	RF315-0958
Quiett's Texaco Station.....	RF321-14433
R&L Texaco.....	RF321-1217
Randy's Shell Service.....	RF315-4499
Riverview Texaco.....	RF321-3719
Salyer's Texaco.....	RF321-14103
Scarsdale Avenue Texaco.....	RF321-2546
Sunset Texaco.....	RF321-2942
Thirty-Fifth & Harrison Texaco.....	RF321-3718
Tilcon Delaware, Inc.....	RF272-3976
Tilcon Delaware, Inc.....	RF272-3976
Timberlake Texaco.....	RF321-3726
Vrabics Texaco.....	RF321-1492
Wayne R. Wilson Texaco.....	RF321-2570
Wickford Shipyard, Inc.....	RF321-2581

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1 p.m. and 5 p.m., except federal holidays. They are also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf reporter system.

Dated: July 26, 1991.
George B. Breznay,
Director, Office of Hearings and Appeals.
[FR Doc. 91-18299 Filed 7-31-91; 8:45 am]
BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-3979-2]

Fuels and Fuel Additives; Waiver Application

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: On July 12, 1991, the Ethyl Corporation (Ethyl) submitted an application for a waiver of the prohibition against the introduction into commerce of certain fuels and fuel additives set forth in section 211(f) of

the Clean Air Act (Act). This application seeks a waiver for the gasoline additive, methylcyclopentadienyl manganese tricarbonyl (MMT), an octane enhancer, commercially labeled by Ethyl as HiTEC 3000, to be blended in unleaded gasoline resulting in a level of up to 0.03125 (1/32) gram per gallon manganese (gpg Mn). The Administrator of EPA has until January 8, 1992 to grant or deny this application. If not denied by that date, it will be deemed to be granted, under section 211(f)(4).

DATES: EPA will conduct a one-day public hearing on this application beginning at 9 a.m. on September 13, 1991 at the U.S. EPA Auditorium located in the EPA Education Center (Northwest Mall Entrance), 401 M Street SW., Washington, DC 20460. Comments on this application will be accepted until October 4, 1991. Parties wishing to testify at the hearing should contact David J. Kortum or James W. Caldwell by September 6, 1991 at (202) 382-2635 (after August 23, 1991, the number will be (202) 260-8841). It is also requested that six copies of prepared hearing testimony be available at the time of the hearing for distribution to the hearing panel. Hearing testimony should also be submitted to the docket. Additional information on the submission of comments to the docket may be found below in the "ADDRESSES" section of this notice.

ADDRESSES: Copies of the information relative to this application are available for inspection in public docket A-91-46 at the Air Docket (LE-131) of the EPA, room M-1500, 401 M Street SW., Washington, DC 20460, (202) 382-7548, between the hours of 8:30 a.m. to noon and 1:30 p.m. to 3:30 p.m. weekdays. Any comments from interested parties should be addressed to this docket with a copy forwarded to Mary T. Smith, Director, Field Operations and Support Division (EN-397F), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. As provided in 40 CFR part 2, a reasonable fee may be charged for copying services.

FOR FURTHER INFORMATION CONTACT: David J. Kortum, Environmental Engineer, Field Operations and Support Division (EN-397F), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (202) 475-8841 (after August 23, 1991: (202) 260-8841).

SUPPLEMENTARY INFORMATION: Section 211(f)(1)(A) of the Act makes it unlawful, effective March 31, 1977, for any manufacturer of a fuel or fuel additive to first introduce into commerce, or to increase the concentration in use of, any fuel or fuel additive for use in light duty motor

vehicles manufactured after model year 1974 which is not substantially similar to any fuel or fuel additive utilized in the certification of any model year 1975, or subsequent model year, vehicle or engine under section 206 of the Act. EPA has defined "substantially similar" at 56 FR 5352 (February 11, 1991). Section 211(f)(1)(B) of the Act makes it unlawful, effective November 15, 1990, for any manufacturer of a fuel or fuel additive to first introduce into commerce, or to increase the concentration in use of, any fuel or fuel additive for use by any person in motor vehicles manufactured after model year 1974 which is not substantially similar to any fuel or fuel additive utilized in the certification of any model year 1975, or subsequent model year, vehicle or engine under section 206 of the Act. Thus, section 211(f)(1)(B) expands the prohibitions of 211(f)(1)(A), which apply only to light-duty vehicles. Section 211(f)(4) of the Act provides that upon application by any fuel or fuel additive manufacturer, the Administrator of EPA may waive the prohibitions of section 211(f)(1) if the Administrator determines that the applicant has established that such fuel additive will not cause or contribute to a failure of any emission control device or system (over the useful life of any vehicle in which such device or system is used) to achieve compliance by the vehicle with the emission standards to which it has been certified pursuant to section 206 of the Act. If the Administrator does not act to grant or deny an application for a waiver within 180 days of receipt of the application (in this case, by January 8, 1992), the statute provides that the waiver shall be treated as granted.

The current submission by Ethyl is an application under section 211(f)(4) of the Act for a waiver for the fuel additive methylcyclopentadienyl manganese tricarbonyl (MMT), commercially labeled by Ethyl as HiTEC 3000, to be blended in unleaded gasoline resulting in a level of up to 0.03125 (1/32) gram per gallon manganese (gpg Mn). This is Ethyl's fourth application for a waiver for MMT. Ethyl's first application was submitted on March 17, 1978 for concentrations of MMT resulting in 1/8 and 1/2 gpg Mn in unleaded gasoline. Ethyl's second application was submitted on May 26, 1981 for concentrations of MMT resulting in 1/4 gpg Mn in unleaded gasoline. The Administrator denied these requests for waivers. The decision and justification thereof may be found in the September 18, 1978 Federal Register, 43 FR 41424, and the December 1, 1981 Federal Register, 46 FR 58630. Ethyl's third

both oil field drilling contractors, demonstrated the volumes of their claims by using contemporaneous records and reasonable estimates. The applicants were end-users of the products they purchased and were therefore presumed injured. A group of states and territories of the United States (the States) objected to the Applications, contending that the firms were not injured because they were able to pass through to customers any overcharges they suffered due to the elasticities of supply and demand that exist in any industry. The applicants, in a Response to the States' Objection, admitted that they were able to pass through 40 percent of the over-charges. Accordingly, the DOE granted the applicants refunds equal to 60 percent of their full volumetric claims. The total of the refunds disbursed in this Decision

was \$106,348. The DOE also denied the Motions for Discovery filed by the States in these cases.

Murphy Oil Corporation/Power Pak, Inc., et al. 5/21/91, RF309-493, et al.

The DOE issued a final Decision and Order concerning Applications for Refund submitted on behalf of two retail motor gasoline outlets in the Murphy Oil Corporation (Murphy) special refund proceeding. The DOE issued a proposed Decision and Order regarding these Applications for Refund, which tentatively concluded that the former owner of the assets of both stations was the proper recipient of any refund granted on the basis of the stations' Murphy purchases. After considering all comments concerning the proposed determination, the DOE concluded that its tentative findings were correct and adopted them in a final Decision.

Accordingly, the former owner was granted a refund of \$6,766 (\$4,938 in principal and \$1,828 in interest) based on the stations' combined purchase volume of 10,652,902 gallons of regulated Murphy petroleum products. In the final Decision, the DOE also determined that the new owner of one of the station's assets was ineligible for the refund of \$5,147 previously disbursed and will be required to return this amount to the Murphy escrow account.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Agway, Inc./Consolidated Edison Co. of NY	RF324-2	05/24/91
Reid Petroleum Corporation	RF324-19	
Davus Oil Co.	RF324-28	
Atlantic Richfield Co./Anderson & Watkins, Inc.	RF304-79	05/20/91
Atlantic Richfield Co./ARCO Truck Terminal et al.	RF304-5148	05/21/91
Atlantic Richfield Co./Brewer Propane Gas, Inc.	RF304-3582	05/23/91
Brewer Propane Gas, Inc.	RF304-3583	
Brewer Propane Gas, Inc.	RF304-3590	
Brewer Brothers, Inc.	RF304-3790	
Atlantic Richfield Co./Hankroad Oil Company, Inc.	RF304-12283	05/20/91
Atlantic Richfield Co./McDowell Oil Service, Inc.	RF304-4973	05/20/91
Atlantic Richfield Co./Wilson Oil Co. et al.	RF304-11470	05/22/91
Avtex Fibers Front Royal, Inc.	RF272-49245	05/23/91
Avtex Fibers Front Royal, Inc.	RD272-49245	
Evans Oil & Gas, Inc.	RF272-61123	05/24/91
Exxon Corporation/Clarence J. Fulon	RF307-10188	05/24/91
Exxon Corporation/Dave Starmer Exxon	RF307-10156	05/20/91
Gulf Oil Corp./AU Rust Proofing Center, Inc. et al.	RF300-12420	05/20/91
Gulf Oil Corp./C&P Telephone Co. of MD. et al.	RF300-11169	05/22/91
Gulf Oil Corp./H.J. Truxillo, Inc.	RF300-12448	05/20/91
H.J. Truxillo, Inc.	RF300-12449	
Gulf Oil Corp./Jerry's Gulf Service	RF300-16308	05/23/91
Gulf Oil Corp./Milazzo Oil Company	RF300-11601	05/22/91
Gulf Oil Corp./Weccasassa Gulf et al.	RF300-11515	05/21/91
Heidenfels Brothers, Inc.	RF272-25223	05/23/91
Heidenfels Brothers, Inc.	RD272-25223	
Puerto Rican Cement Co., Inc.	RF272-28145	
Puerto Rican Cement Co., Inc.	RD272-28145	
Boh Bros. Construction Co. Inc.	RF272-27532	
Boh Bros. Construction Co. Inc.	RD272-27532	
John Royster	RC272-119	05/23/91
Nayak Aviation Corp.	RF272-63686	05/24/91
Quabaug Corp. et al.	RF272-65506	05/22/91
Ferguson Brothers Construction Co.	RD272-67071	
Shell Oil Company/Bruce J. Sirchio et al.	RF315-8600	05/22/91
Shell Oil Company/Crystal Petroleum Company	RF315-8387	05/21/91
Shell Oil Company/Randall B. Strickland	RF315-6137	05/22/91
State of California	RF272-67248	05/24/91
Texaco Inc./Army & Air Force Exchange Service et al.	RF321-6825	05/22/91
Texaco Inc./Burger Bros.	RF321-5090	05/24/91
Johnny McCullogh Texaco	RF321-11987	
Wenham Transportation, Inc.	RF272-75673	05/21/91
West Springfield Public Schs. et al.	RF272-61606	05/23/91

The following submissions were dismissed:

Name	Case No.
Andy's Arco	RF304-3356
Barjas Swels Texaco	RF321-12123

Name	Case No.
Bill Beam's Texaco	RF321-3725
Billy's Texaco, Inc.	RF321-3720
Bob Magari Texaco	RF321-846
Bob's Texaco	RF321-13840
Bob's Texaco	RF321-3721

Name	Case No.
Burkhardt's Texaco	RF321-4804
Carey's Texaco	RF321-9624
Chuck's Texaco & Hula Wash	RF321-14829
Crossroads Texaco	RF321-2620
Dodge Moving and Storage	RF272-62718

application, was submitted on May 9, 1990, for concentrations of MMT resulting in a level of up to 0.3125 (1/32) gpg Mn in unleaded gasoline (the same level which is requested in the application which is the subject of today's notice). Ethyl withdrew its third application on November 1, 1990, before the deadline for the Administrator to make a determination on the application. Because no determination had been made at the time the applicant withdrew the application, EPA accepted the withdrawal and immediately terminated the proceeding without action on the application.

If the prohibitions against MMT were waived by the Administrator, it is highly likely that most U.S. gasoline would contain MMT, and, therefore, it is also highly likely that fuels used in certifying vehicles under section 208 of the Act, would be required to reflect this compositional change. EPA invites comments on whether the Administrator should grant or deny this waiver application.

Dated: July 24, 1991.

Michael Shapiro,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 91-17988 Filed 7-31-91; 8:45 am]

BILLING CODE 6560-50-M

[OPTS-59290B; FRL-3938-1]

Certain Chemicals; Approval of Modification to Test Marketing Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's approval of modifications of the test marketing periods for three test marketing exemptions (TME) under section 5(h)(1) of the Toxic Substances Control Act (TSCA) and 40 CFR 720.38. EPA designated the original test marketing applications as TME-91-2, TME-91-3, and TME-91-4. The test marketing conditions are described below.

EFFECTIVE DATES: July 24, 1991.

FOR FURTHER INFORMATION CONTACT: Rick Keigwin, New Chemicals Branch, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Rm. E-611, 401 M St. SW., Washington, DC 20460, (202) 382-2440. A public version of the record, without any confidential business information, is available in the TSCA Public Docket Office from 8 a.m. to noon and 1 p.m. to 4 p.m., Monday

through Friday, except legal holidays. The TSCA Public Docket Office is located in Rm. NE-G004, 401 M St., SW., Washington, DC.

SUPPLEMENTARY INFORMATION: Section 5(h)(1) of TSCA authorizes EPA to exempt persons from premanufacture notification (PMN) requirements and permit them to manufacture or import new chemical substances for test marketing purposes if the Agency finds that the manufacture, processing, distribution in commerce, use, and disposal of the substances for test marketing purposes will not present an unreasonable risk of injury to human health or the environment. EPA may impose restrictions on test marketing activities and may modify or revoke a test marketing exemption upon receipt of new information which casts significant doubt on its finding that the test marketing activity will not present an unreasonable risk of injury.

EPA hereby approves the modifications of the test marketing periods for TME-91-2, TME-91-3, and TME-91-4. EPA has determined that test marketing of the new chemical substances described below, under the conditions set out in the TME applications and modification request, and for the modified time periods specified below, will not present an unreasonable risk of injury to human health or the environment. Production volume, use, and the number of customers must not exceed that specified in the application. All other conditions and restrictions described in the original Notice of Approval of Test Marketing Application must be met.

T-91-2

Notice of Approval of Original Application: January 18, 1991 (56 FR 2017).

Modified Test Marketing Period: 6-month extension from the original 6 months.

T-91-3

Notice of Approval of Original Application: January 18, 1991 (56 FR 2017).

Modified Test Marketing Period: 6-month extension from the original 6 months.

T-91-4

Notice of Approval of Original Application: January 18, 1991 (56 FR 2017).

Modified Test Marketing Period: 6-month extension from the original 6 months.

The Agency reserves the right to rescind approval or modify the conditions and restrictions of an

exemption should any new information come to its attention which casts significant doubt on its finding that the test marketing activities will not present an unreasonable risk of injury to human health or the environment.

Dated: July 24, 1991.

John W. Melone,

Director, Chemical Control Division, Office of Toxic Substances.

[FR Doc 91-18282 7-31-91; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection requirement submitted for Review

July 23, 1991.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, Downtown Copy Center, 1114 21st Street NW., Washington, DC 20036, (202) 452-1422. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on this information collection should contact Jonas Neihardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 3060-0185.

Title: Section 73.3613, Filing of Contracts.

Action: Extension.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of responses: Recordkeeping requirement and on occasion reporting.

Estimated annual burden: 1,800 responses, 3,717 recordkeepers, .5 hours per response and per recordkeeper, 2,759 hours total annual burden.

Needs and Uses: Section 73.6316 requires that licensees of TV and low power TV broadcast stations file with the FCC copies of network affiliation contract, instruments, and documents together with amendments, supplements and cancellations. In addition, all broadcast station licensees are required to file contracts, instruments or documents relating to ownership or control and personnel. Certain contracts, agreements or understandings need not be filed with the FCC, but must be retained at the station and be made available for inspection upon request by

the FCC. The contracts filed with the FCC and filed in the station file are used by the FCC to assure that a licensee maintains full control over the operation and maintenance of the Station.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 91-18154 Filed 7-31-91; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL MARITIME COMMISSION

Manatee County Port Authority Banana Services, Inc.; Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street NW., room 10220. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the Federal Register in which this notice appears. The requirements for comments are found in § 572.603 of title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 224-200551.

Title: Manatee County Port Authority/
Banana Services, Inc. Terminal
Agreement.

Parties: Manatee County Port
Authority Banana Services, Inc.

Synopsis: The Agreement, filed July 22, 1991, provides for the 5-year lease of a transit warehouse for fresh fruits, vegetables, juices and other general cargo. The Agreement also provides for priority vessel berthing, guaranteed annual cargo volumes, and wharfage incentive rates.

By Order of the Federal Maritime
Commission.

Dated: July 29, 1991.

Joseph C. Polking,

Secretary.

[FR Doc. 91-18221 Filed 7-31-91; 8:45 am]

BILLING CODE 6730-01-M

[Agreement No. 217-011324-002]

Transpacific Space Utilization Agreement; Correction

In the Federal Register notice of July

16, 1991 (56 FR 32431), concerning subject agreement, Yang Ming Lines should not have been listed as an independent carrier party to the Agreement.

By Order of the Federal Maritime
Commission.

Dated: July 29, 1991.

Joseph C. Polking,

Secretary.

[FR Doc. 91-18220 Filed 7-31-91; 8:45 am]

BILLING CODE 6730-01-M

Security for the Protection of the Public Indemnification of Passengers for Nonperformance of Transportation; Issuance of Certificate (Performance)

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of section 3, Public Law 89-777 (46 U.S.C. 817(e)) and the Federal Maritime Commission's implementing regulations at 46 CFR 540, as amended:

Club Med Sales, Inc. and Services et
Transports Cruise Lines, 40 West 57th Street,
New York, NY 10019, Vessel: CLUB MED 1.

Dated: July 29, 1991.

Joseph C. Polking,

Secretary.

[FR Doc. 91-18219 Filed 7-31-91; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Agency Forms Under Review

July 26, 1991.

Background

Notice is hereby given of the final approval of proposed information collection(s) by the Board of Governors of the Federal Reserve System (Board) under OMB delegated authority, as per 5 CFR 1320.9 (OMB Regulations on Controlling Paperwork Burdens on the Public).

FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance
Officer—Frederick J. Schroeder—
Division of Research and Statistics,
Board of Governors of the Federal
Reserve System, Washington, DC
20551 (202-452-3829).

OMB Desk Officer—Gary Waxman—
Office of Information and Regulatory
Affairs, Office of Management and

Budget, New Executive Office
Building, room 3208, Washington, DC
20503 (202-395-7340).

Final approval under OMB delegated authority of the extension without revision of the following reports:

1. *Report title:* Annual Report on
Status of Disposition of Assets Acquired
in Satisfaction of Debt Previously
Contracted.

Agency form number: FR 4006.

OMB Docket number: 7100-0129.

Frequency: Annual.

Reporters: Bank holding companies.

Annual reporting hours: 3000.

*Estimated average hours per
response:* 5.

Number of respondents: 600.

*Significant effect on small business is
not expected.*

General description of report: This
information collection is required by law
(12 U.S.C. 1843(c)(2) and 1844(c)).
Certain portions may be given
confidential treatment at applicant's
request (5 U.S.C. 552(b)(4)).

Abstract: Bank holding companies
that acquire assets in satisfaction of
debts previously contracted are required
to submit an annual report to the Board
on the progress made to dispose of
assets or shares that have been held two
years beyond the initial date of their
acquisition. The report is submitted by
letter, does not have a required format,
and serves to identify potentially
unsound situations and to encourage
timely compliance with the divestiture
requirement as contained in the statutes
and regulation.

2. *Report title:* Report of Bank Holding
Company Intercompany Transactions
and Balances.

Agency form number: FR Y-8.

OMB Docket number: 7100-0126.

Frequency: Semiannual.

Reporters: Bank holding companies

Annual reporting hours: 10,080.

*Estimated average hours per
response:* 9.

Number of respondents: 550.

Small businesses are not affected.

General description of report: This
report is mandatory (12 U.S.C. 1844(c))
and collects data required to supervise
bank holding companies and their
subsidiary banks. The data gathered on
the form is accorded confidential
treatment (5 U.S.C. 552(b)(8)).

Abstract: This report collects data on
the transactions between a domestic
bank holding company (or its nonbank
subsidiaries) and its subsidiary banks.
The information collected enables the